

INFORMATIONAL HEARING
STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

APPLICATION FOR CERTIFICATION FOR)
THE FPL ENERGY SACRAMENTO POWER,) DOCKET NO. 01-AFC-1
LLC RIO LINDA/ELVERTA POWER PROJECT)
(RIO LINDA))
_____)

RIO LINDA COMMUNITY UNITED METHODIST CHURCH
CHURCH SANCTUARY
6800 6TH STREET
RIO LINDA, CALIFORNIA 95673

WEDNESDAY, MAY 16, 2001

6:00 P.M.

JAMES F. PETERS, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

CONTRACT NO: 170-99-001

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMISSIONERS

Arthur H. Rosenfeld, Presiding Member

Michael C. Moore, Commissioner

STAFF

Mr. Lance Shaw, Project Manager

Ms. Caryn Holmes, Senior Staff Counsel

Ms. Darcie Houk, Staff Counsel

APPLICANT FPL ENERGY

Mr. Tim Rossknecht, Project Director

Ms. Jocelyn Thompson, Counsel, Weston, Benshoop,
Rocheffort, Rubalcava and MacCuish

Mr. Michael Argentine

Mr. Scott Busa

Mr. P. Duane McCloud

PUBLIC ADVISER

Ms. Roberta Mendonca, Public Adviser

Ms. Maria Krapceovich, Associate Public Adviser

Ms. Penny Fitsimmons, Executive Assistant

ALSO PRESENT

Ms. Nancy Werdel, Western Area Power Administration

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1 PROCEEDINGS

2 HEARING OFFICER WILLIAMS: If we could come to
3 order, I'm going to get started.

4 Good evening. This is an informational hearing
5 conducted by a Committee of the California Energy
6 Commission of the proposed Rio Linda/Elverta Power
7 Project, docket number 01-AFC-1. The Energy Commission
8 has assigned a committee of two Commissioners to conduct
9 these proceedings. Before we begin, I would like to
10 introduce the Committee members, and I would like to ask
11 participants to introduce themselves.

12 After we make the introductions, we will go out
13 and board the buses for a visit to the proposed site. We
14 will return here after the site visit and reconvene.
15 After reconvening, the parties will make presentations
16 about the proposed project and we will hear from the
17 public.

18 Before we do anything else, I would now introduce
19 the Committee to you. We have presiding, Commissioner
20 Arthur H. Rosenfeld to my right, and the associate
21 Commissioner, Michael C. Moore, to my left.

22 I see that our Public Adviser is in attendance.
23 I would like to introduce her to you. And, Roberta, could
24 you perhaps come forward and give us some brief remarks
25 about what your role is in this process.

1 PUBLIC ADVISER MENDONCA: Excuse me for turning
2 the mike around, but you've already heard me say this
3 before. I'd much rather to talk to people who have not
4 heard it.

5 Good evening.

6 HEARING OFFICER WILLIAMS: Roberta, if you
7 prefer, there's a hand held there that you can use as
8 well.

9 PUBLIC ADVISER MENDONCA: I'll follow directions.

10 Good evening. My name is Roberta Mendonca and I
11 am the Energy Commission's Public Adviser. It's my
12 pleasure to be here this evening and it's especially fun
13 for me, because I am bringing you two members of my staff,
14 who normally don't get to get out and do this in more than
15 singular form. So I would like to introduce Maria
16 Krapcevich, the Associate Public Adviser. She could tell
17 you I can't pronounce her name either. She can do it on a
18 one to one basis. And my executive assistant Penny
19 Fitsimmons.

20 Basically, you're in for something of a surprise,
21 because not very many state agencies offer you services of
22 a public adviser. I am not one of the decision makers,
23 and I am not a member of the staff assigned to analyze
24 this project. I'm here to be a resource for you and any
25 members of the public that want to understand what's going

1 on in our process, how to access information and how to
2 participate if that's what you are interested in doing
3 after this evening and you have certain questions.

4 It's very important in our process that you
5 understand what the meetings are about, like this evening.
6 This is a Committee hearing. We have the Commissioners
7 present. Other meetings will be workshops that will be
8 run by the staff, and they'll be slightly less formal,
9 kind of a roll up your sleeves, sit down and let's talk
10 about it format, where tonight's meeting will involve
11 formal statements, and you will also have an opportunity
12 to come to the microphone and make comment at the end of
13 the meeting, which leads me to the role of the blue cards.

14 Please, if you would like to make a public
15 comment, fill out a blue card, hold it up and one of us
16 will come around and collect it and make sure that you get
17 called on. It gives us an opportunity to plan how many
18 speakers and how long to have the comment period. It
19 gives us a more orderly meeting.

20 I'd also like to explain the opportunities to
21 participate. As you can see, the public is here and the
22 public is a very, very important part of the Energy
23 Commission's process. The public is given notice of each
24 and every meeting. The Commissioners, as the decision
25 makers, are not allowed to have ex parte or off-the-record

1 conversations about the project. So all of our meetings
2 are publicly noticed, and we recommend that you sign our
3 sign-in sheets, which were out in the foyer, to indicate
4 that you'd like to be on our mail lists. And if you have
5 E-mail, we encourage you to get on the E-mail lists,
6 because you will get automatic E-mail notices of our
7 meetings. You can come to our meetings and make public
8 comments.

9 As the process moves along and gets closer to the
10 decision-making phase, the difference between being a
11 member of the public and offering comment versus doing
12 what the Energy Commission allows, a process called
13 intervention, becomes somewhat more apparent. Intervenors
14 become parties to the case as the staff and the applicant
15 are parties. It carries with it responsibilities. You
16 must file paperwork. You must be willing to abide by the
17 rules and procedures for a party. And the main difference
18 shows up when it comes to the hearing of the evidence, our
19 formal evidentiary hearings, because members of the public
20 can come forward and comment, but parties to the hearing
21 can prepare, bring in their own witnesses, file during the
22 hearing phase and also cross examine the witnesses.

23 The public adviser is available to assist you
24 with questions about the differences and questions about
25 how best to do that. And I look forward to working with you.

1 Tonight, when you walked in, we had a one-page handout
2 that I encourage you to take away. It has my office
3 numbers on it. And when the staff makes their
4 presentation, their names will be up so you can take a
5 look at them, again.

6 Thank you very much.

7 HEARING OFFICER WILLIAMS: Thank you very much,
8 Roberta.

9 At this point, I think we'll move along and have
10 the applicant introduce themselves and then we'll move to
11 staff and Western. And if you all could, if you have a
12 business card, please give it to the Court Reporter. That
13 will help him with the names and spellings and that sort
14 of thing.

15 MR. ROSSKNECHT: Thank you. My name is Tim
16 Rossknecht. I'm the project manager for this project.
17 I'd like to introduce some of my team members here. First
18 of all, and if you could, please stand up. Jocelyn
19 Thompson is my lead counsel from Weston, Benshoof. Of
20 course, she is familiar with all the legalities of this
21 process.

22 Scott Busa is our environmental manager. And he
23 is responsible for making sure that we comply with all the
24 environmental guidelines we need to put a power plant in.

25 Duane McCloud is our technical manager, and he'll

1 be able to answer lots of questions about how the power
2 plant operates. And Mike Argentine is another project
3 manager, who's been a long-time resident of Sacramento
4 county and is our local contact during the questions about
5 this plant.

6 HEARING OFFICER WILLIAMS: Thank you very much.

7 MR. ROSSKNECHT: I'd also like to introduce
8 Dwight who's from the environmental area and has
9 participated in several of these projects and will be
10 conducting our tour today and be involved in this process
11 as it goes through it.

12 HEARING OFFICER WILLIAMS: I also see Taylor
13 Miller in the audience.

14 (Laughter.)

15 HEARING OFFICER WILLIAMS: We don't want to leave
16 anybody out.

17 MR. ROSSKNECHT: Taylor has been a big help in
18 the area, permit area, helping us to more understand the
19 air credits and what it takes to obtain air credits and
20 how they work and permitting a plant here in California.

21 HEARING OFFICER WILLIAMS: Thank you, sir. If we
22 could move to staff now. Lance, would you care to make an
23 opening remark.

24 PROJECT MANAGER SHAW: Thank you. I'm Lance Shaw
25 the project manager for the siting process for the Energy

1 Commission. Would all the Energy Commission staff and
2 contractors please stand. Okay. Two co-counsel here,
3 Caryn Holmes raise your hands, Darcie Houck. And some of
4 the -- you may be seated. Some of you are silent, so
5 please say who you are?

6 MS. VAHIDI: I'm Negar Vahidi, with ASPEN
7 Environmental.

8 PROJECT MANAGER SHAW: Negar Vahidi.

9 MS. STAR: Valeri Star from ASPEN.

10 PROJECT MANAGER SHAW: Valeri, ASPEN
11 Environmental Group.

12 PROJECT MANAGER SHAW: Thank you.

13 MR. GHADIRI: Steve Ghadiri.

14 PROJECT MANAGER SHAW: Steve Ghadiri, I had him on
15 the list.

16 MS. LEWIS: Ila Lewis.

17 PROJECT MANAGER SHAW: Anyone else?

18 Thank you.

19 I will be saying more about what we do.

20 HEARING OFFICER WILLIAMS: Nancy, would you come
21 up and introduce yourself as well, please.

22 MS. WERDEL: Good evening. My name is Nancy
23 Werdel. I am the environmental manager for Western Area
24 Power Administration. This proposed project is going to
25 tie into the Elverta substation. And so Western will be

1 taking the federal lead on this project. That means that
2 we will be conducting the National Environmental Policy
3 Act review of the project and preparing an Environmental
4 Impact Statement or Environmental Assessment for this
5 project.

6 And we will be going forward with that in
7 conjunction with the CEC's process. You will see our
8 faces, as well as others. I'd like to introduce Chris.
9 He is our engineering lead on this project for the
10 interconnection activities.

11 Thanks.

12 HEARING OFFICER WILLIAMS: Thank you. The last
13 thing I'll say before we get on the buses is that the
14 Committee does have several petitions to intervene in this
15 process. Again, those folks who wish to intervene in the
16 proceedings should talk to the Public Adviser's office to
17 get the details on how we do that.

18 The Committee currently has four pending
19 petitions to intervene that it will be moving along at
20 some later point. And I saw Mr. Allan Thompson when he
21 walked in representing Roseville Energy Facility. So are
22 there any other potential intervenors present?

23 There's one individual, Mr. John Shepard, are you
24 here, sir?

25 Okay.

1 MS. DAVIS: My name is Sky Davis. I'm here for
2 the California Union for Reliable Energy. We just filed
3 our petition to intervene.

4 HEARING OFFICER WILLIAMS: Okay. So with that, I
5 think we'll adjourn and go out there on the buses and go
6 out to the site visit and then return here after that.

7 Thank you.

8 (Thereupon a recess was taken.)

9 COMMISSIONER MOORE: Can we get everyone in here
10 and we'll start the hearing.

11 If anybody is missing a wrist watch, lady's wrist
12 watch, if they could identify it for us, we might have
13 found it for you.

14 HEARING OFFICER WILLIAMS: Okay. We're going to
15 get back on the record. The record should reflect that
16 the Committee and the parties have returned from the site
17 visit, and we are reconvening this informational hearing
18 on the Rio Linda/Elverta Power Plant docket number
19 01-AFC-1.

20 I just wanted to remind you, if you plan to
21 speak, make sure Roberta gets your name, so we can have a
22 blue card up here. I'm just going to go through them at
23 the end in alphabetical order. And we're going to ask the
24 public speakers to try to limit your remarks to five
25 minutes, so that we can get out at a fairly decent hour.

1 Again, I'm just going to go through them in alphabetical
2 order.

3 The informational hearing is the first public
4 event conducted by the Committee as part of the Energy
5 Commission's licensing proceedings on the Rio Linda Power
6 Project. Notice of today's hearing was posted on the
7 Commission's web site and sent to all parties, adjoining
8 land owners, interested governmental agencies and other
9 individuals on May 1st, 2001.

10 In addition, notice of today's event was
11 published in a local newspaper, the Rio Linda/Elverta News
12 and the Sacramento Bee. Documents pertinent to today's
13 hearing include a Staff Issues Identification Corporate
14 filed on May 4th, 2001.

15 The purpose of today's hearing is to provide a
16 public forum to discuss the proposed Rio Linda Power
17 Project, to describe the Energy Commission's review
18 process, and to identify the opportunities for public
19 participation in this process.

20 Electrical energy produced by this proposed
21 merchant power plant would be sold in California's
22 competitive electricity market. A merchant power plant is
23 built with private funding, without creating any direct
24 financial liability for electricity consumers. The
25 project will sell electricity on the deregulated

1 electricity market to the California Power Exchange.

2 Applicant plans to complete construction and start
3 operation of a combined cycle unit in the year 2004.

4 Again, today's event is the first in a series of
5 public formal hearings which will extend over
6 approximately the next year. The Commission conducting
7 this proceeding will eventually issue a proposed decision
8 containing the recommendations on the proposed power
9 plant. It is important to note that, by law, the Proposed
10 Decision, must base its recommendations solely on the
11 evidence contained in the public record.

12 To ensure that this happens and to preserve the
13 integrity of the Commission's licensing process,
14 Commission regulations and the California Administrative
15 Procedures Act expressly prohibit off-the-record contacts
16 between the participants in this proceeding and the
17 Commissioners, their advisors, and the Hearing Officer.
18 This is known as the ex parte rule.

19 This means that all contacts between the party to
20 this proceeding and Commissioners Rosenfeld and Moore and
21 their staff concerning a substantive matter must be heard
22 in the context of a public discussion, such as will occur
23 today, or in the form of a written communication
24 distributed to all of the parties.

25 The purpose of this rule is to provide full

1 disclosure to all participants of all information, which
2 may be used as a basis for the future decision. Today, we
3 will have presentations first by the applicant and then by
4 staff. After those presentations -- and Western Power if
5 Western has anything further to add. After those
6 presentations are concluded and any questions presented by
7 participants are addressed, we will take public comments.

8 During the course of the hearing we will proceed
9 in the following manner: First, the applicant will
10 describe the proposed project and explain plans for
11 developing the project site; Commission staff will provide
12 an overview of the Commission's licensing process and its
13 role in reviewing the proposed project; again, Western has
14 already explained their role in the process; and, again,
15 at the end of each of these presentations, interested
16 agencies and members of the public may ask questions.

17 Following these presentations, we will turn to
18 the discussion of scheduling and other matters addressed
19 in Staff's Identification Report.

20 So, at this point, I think we'll just start in
21 with the applicant and begin the presentation. I think
22 we'll have to go down, because I --

23 MR. ROSSKNECHT: We left books of the
24 presentation out there, if you want to stay up there and
25 follow allowing.

1 Again, my name is Tim Rossknecht, and I'm the
2 project manager. I want to thank everybody for
3 participating in this process. What I'd like to do is
4 introduce my company, your would-be neighbors, and
5 introduce the project a little bit and then a couple of
6 other team members go through some of the technical
7 aspects of the project.

8 (Thereupon an overhead presentation was
9 presented as follows.)

10 MR. ROSSKNECHT: Our company is part of FPL,
11 Florida Power and Light. We're one of the largest
12 utilities, one division of our company, the left-hand side
13 of that chart, which is a utility similar to PG&E, except
14 we sell our power plants and we're not bankrupt.

15 The other part is the right-hand side, FPL
16 Energy, which is the independent power producer part of
17 the company.

18 --o0o--

19 MR. ROSSKNECHT: FPL Energy operates and is
20 developing about 9,600 megawatts of different types of
21 power in 16 states including California. We've been in
22 California since about 1985. We first invested in
23 geothermal in this state. We are currently the State's
24 largest producer of wind power. We own the largest solar
25 project in the world in San Bernardino County.

1 And we're also somewhat active in natural gas.
2 This would be an addition that we feel would complement
3 our clean energy portfolio.

4 --o0o--

5 MR. ROSSKNECHT: Our expertise in natural gas,
6 this shows the location of our natural gas projects around
7 the United States. As you can see, if you look at
8 Florida, that a substantial portion of our generation is
9 in natural gas.

10 --o0o--

11 MR. ROSSKNECHT: And this just shows what our
12 portfolio looks like as far as FPL Energy. So you see
13 wind and hydro and a substantial portion of natural gas,
14 which is similar to what this power plant would be.

15 --o0o--

16 MR. ROSSKNECHT: FPL Energy and FPL Utility is
17 committed to environmental stewardship. And these are
18 examples of some of the things we've done in Florida. The
19 county I live in has a large natural gas power plant, and
20 the cooling water outlets of power plants most associated
21 with good fishing, which is important when you live in
22 Florida.

23 Next slide.

24 --o0o--

25 MR. ROSSKNECHT: We also know that it's important

1 to be involved with the community to understand what the
2 community sense is about the project. So, as you can see
3 our goal is we want to establish a positive relationship
4 with the community. We're hoping that we can do sources
5 of information about the project and the company, and not
6 rumors of secondhand information. We're going to make
7 ourselves available. And, of course, the CEC process is
8 going to assure that all the pertinent information and the
9 environmental impact is available. And we held an open
10 house last week, so that we could gather feedback from the
11 community and we're going to keep doing that type of
12 program.

13 --o0o--

14 MR. ROSSKNECHT: Some of the benefits of the
15 project is during the construction phase there will be
16 more than 200 jobs and \$45 million payroll over about 20
17 months. Once the plan is in operation, there will be 23
18 permanent jobs, and we certainly will employ local hiring
19 practices to the extent possible.

20 The power plant will pay more than \$3 million a
21 year in new property taxes. And just in local purchases,
22 we'll be paying sales tax on that local purchases in the
23 amount of \$500,000.

24 --o0o--

25 MR. ROSSKNECHT: I don't think I need to really

1 tell this group too much about the rolling black outs and
2 the shortage of power in California. We do feel that this
3 is a good site for a power plant. I think you saw on the
4 tour all the electrical lines that connect into the
5 substation. As you know, SMUD, years ago, had planned a
6 project for that and never got it built. And this project
7 is going to help fill up the electrical holes that's in
8 the system there.

9 --o0o--

10 MR. ROSSKNECHT: So our power plant will be one
11 of the cleanest. Our emissions that come from this power
12 plant are as low as any power plant that is in front of
13 the Commission from the standpoint of NOx emissions. For
14 example, at two ppm, this facility at 560 megawatts would
15 be able to supply enough electricity for half a million
16 homes.

17 --o0o--

18 MR. ROSSKNECHT: And the schedule we're looking
19 at is that we were declared data adequate last month. We
20 expect this permitting process to run into next year.
21 Hopefully, start construction about April of next year and
22 be on line in the first quarter of 2004.

23 --o0o--

24 MR. ROSSKNECHT: And I think from here, I'll let
25 our technical expert, Duane McCloud, take over.

1 MR. McCLOUD: I'm Duane McCloud. And I've been
2 involved in this project to date from the technical
3 aspects. I'm in the power generation group of FPL Energy.

4 I'll start with the first slide in a little bit
5 is location from the perspective of where it is on the
6 Sacramento area grid. It is an ideal location. There's
7 no appreciable generation on the north side of Sacramento,
8 which essentially is the electrical hole I think that's
9 been described in that area.

10 And this provides much needed power in that
11 location. The plant site is very close to the project.
12 We will be looping into the existing transmission lines
13 going through the project location.

14 --o0o--

15 MR. McCLOUD: The facility that is -- there's a
16 couple of renderings of it now. This is an overhead 3-D
17 kind of rendering. Some of the things that we have yet
18 to -- I'll call it the naked plant picture, at this point
19 in time, but we're just now starting to look at coloration
20 for the building, landscaping, et cetera to make it blend
21 in well with the surroundings.

22 --o0o--

23 MR. McCLOUD: The technology itself as new
24 projects that are being proposed in California, is what
25 most people are proposing. It's a combined cycle

1 technology. That is, there is a gas, actually gas, fire
2 combustion turbines that generate their own power. The
3 exhaust off of that power eats up the steam generator and
4 that steam generator drives the steam turbine, as opposed
5 to just exhausting that heat to waste.

6 As a result, it generates a plant that is roughly
7 30 percent more efficient than a simple gas turbine
8 compressor or gas turbine unit itself or a conventional
9 boiler itself.

10 --o0o--

11 MR. McCLOUD: Various stringent safety guidelines
12 will be enforced in the construction of the plant. The
13 plant is in seismic zone 3. It is a piece of property
14 that was partially in the hundred-year floodplain. The
15 design that we'll incorporate is being above that
16 floodplain and incorporate all seismic concerns. It's
17 only downside is there's not going to be any on-site
18 storage of flammables in soil. As a result, it will
19 incorporate the latest in terms of automatic shutdown
20 equipment, fire equipment.

21 And FPL is very conscientious about safety
22 programs. And we'll take a lot of our experience in the
23 utility end from the management side of the operation of
24 the plant.

25 --o0o--

1 MR. McCLOUD: Community health obviously is a
2 very big concern. We're employing state-of-the-art
3 emission controls. There will be no adverse health effects
4 from the plant. We've done dispersion modeling and so on
5 as far as expected emissions. That process is already
6 going to continue through the permitting process,
7 evaluating and making sure that that is fully taken care
8 of.

9 --o0o--

10 MR. McCLOUD: There will be no significant change
11 in sound levels as a result of the plant. We're modeling
12 this plant to comply with the Sacramento County sound
13 limitations, which is 45 decibels in any residential zone.
14 I can tell you, from my experience, it was a significant
15 task. We went through several iterations on the layout,
16 the plan, several iterations on selecting equipment,
17 selecting what needed to be made in buildings, how it
18 affects that land in order to meet that 45 decibels.

19 All rotating equipment is to be enclosed;
20 silencers in stacks, as I mentioned the buildings.
21 Everything is kind of laid out to alleviate the noise with
22 the right equipment in the right area to keep it away from
23 people, keep it away from residential areas.

24 Any of the noisy stuff will be enclosed and will
25 be approximately 700 feet away from the nearest residence

1 as a result.

2 --o0o--

3 MR. McCLOUD: The next slide actually has a
4 comparison of some different sounds. Forty-five decibels
5 is somewhere between a library and a refrigerator. And we
6 did our open house last week. One of the things we
7 brought with us was a decibel meter and a tape of a
8 simulated power plant noise. We didn't get to use that.
9 We couldn't find any place to set that up. The Elverta
10 Elementary School we couldn't find any place in the
11 school, around the school that we can get a sound level
12 under 45 decibels, so it's a very low level of sound.

13 --o0o--

14 MR. McCLOUD: Lighting is another area of concern
15 when it comes to impact. The plant will be designed with
16 lighting facing inward. The lighting plan has not been
17 finalized just as yet. There are general practices to
18 minimize the lighting on the property, such as to make
19 sure that we have what's necessary for safety. That is a
20 general rule. Certain areas must be lit at all times. It
21 will be very minimal, so normally lighting, exterior
22 lighting, will be visible on only an as-needed basis. And
23 no odor from operations or natural -- it's all natural
24 gas, would come from the project as well.

25 --o0o--

1 MR. McCLOUD: Construction, as I mentioned, is
2 about a 20-month time line. And at 200 workers, actually
3 about an average, a peak is up around the 400 range.
4 Local labor will be used to the extent possible.
5 Obviously, an endeavor of this size, there's certain
6 expertise that needs to come from outside the community,
7 but the Sacramento area has a huge labor pool and it
8 shouldn't be a problem at all from there.

9 Dust suppression will be used during
10 construction. Sound-muffling devices on all construction
11 equipment to minimize the impact seen by the community
12 during construction. Outdoor work will be limited to
13 daytime ours whenever possible. Having it enclosed for
14 the turbines, which is the bulk of the plant equipment,
15 helps to a large degree in minimizing the noise, minimize
16 the impact on the construction. Woodpile driving or jack
17 hammering obviously will be during the day as well. And
18 compliance with all federal regulations to minimize the
19 amount of noise from the construction equipment.

20 --oOo--

21 MR. McCLOUD: Traffic. When we took the bus tour
22 the last stop was near Sorrento Road, which will be the
23 primary impact -- where we actually access it. Following
24 construction we'll be coming off Elverta Road. There's
25 not going to be construction traffic going through the

1 community, and likewise that would be the primary access
2 even once the plant is open and built.

3 --o0o--

4 MR. BUSA: Good evening. I'm Scott Busa. I'm
5 the environmental manager for the project. Part of my job
6 is pretty easy because the plant we'll be building is
7 using natural gas. There's no oil backup on the plant.
8 We've done extended modeling. We've had air modelers,
9 specialists in the field provide a number of data points
10 to the Energy Commission in our application, and they have
11 concluded that there will be no significant impact to the
12 local ambient air quality.

13 Another good thing we've got to work with is the
14 fact that these turbines are very, very efficient and very
15 low emitting on any type of pollutants. The type of
16 technology, they're General Electric turbines. They
17 minimize emissions of nitrogen, oxides, carbon dioxide and
18 Volatile Organic Compounds, sometimes referred to as NOx
19 CO, CO2 and VOCs.

20 The turbines themselves will use a dry low NOx
21 oxide burner. And the back end of the equipment will be
22 something called a selective catalytic reduction, which
23 reduces the NOx down even further than below NOx that
24 comes out of the turbines. We will also add on to the
25 equipment a catalyst, an oxidation catalyst, which will

1 control carbon monoxide and the volatile organic
2 compounds.

3 The use of natural gas itself is the best fuel to
4 use, because it really controls particulate matter to come
5 out of the plant. There will be no visible plume from any
6 kind of smoke or anything being seen from the smoke stack
7 because of natural gas combustion. And also natural gas
8 is very low in sulfur, so the sulfur dioxide ratio is also
9 just naturally very low using natural gas.

10 Another part of the process is the fact that we
11 will have to offset the emissions from the power plant by
12 purchasing, what we call, emission reduction credits from
13 sources located nearby. We have spent about the last year
14 looking for other sources of air emissions in the
15 Sacramento region, and we put together a package of
16 emission reduction credits that come from other stationary
17 sources, other types of plants that have been shut down
18 from agricultural burning reductions is another way to get
19 emission reduction credits. There are agricultural pump
20 engines and other resources that we're looking at, too.
21 So there's a fairly large amount of off-site that we will
22 do for the plant.

23 The other thing to note is we have to purchase
24 more emission reduction credits than actual emissions from
25 the plant, so we'll be taking more out of the area than

1 we'll be putting in.

2 --o0o--

3 MR. BUSA: One thing to note, Tim mentioned
4 before, this will be one of the cleanest natural gas
5 plants in California. At full power the emission will be
6 no greater than two parts per million, for those of you
7 who follow these types of things. At two parts per
8 million over a one-hour average, that's one of the lowest
9 proposed NOx emissions in the State currently, actually in
10 the country currently.

11 The other emissions of concern might be six parts
12 per million of carbon monoxide and 1.65 parts per million
13 for the VOCs, the volatile organic compounds.

14 --o0o--

15 MR. BUSA: Our water supply, we have been working
16 with the Rio Linda/Elverta Community Water District for a
17 supply of water to the project. They have put the use of
18 the power plant water into their master plan for the
19 community. They have modeled the use of power plant water
20 and all the other residential users and future users in
21 the community and have told us that there will be no
22 impacts from the power plant use of water.

23 We are doing our own modeling to make sure that
24 the power plant alone is also not impacting the local
25 water supply. And the Energy Commission will have a lot

1 of questions on water use and how that's all going to work
2 out.

3 We may have to use some mitigations for our water
4 use, too. We're looking and discussing possible surface
5 water mitigation by purchasing surface water rights from
6 neighboring districts to offset any groundwater use that
7 we may have from this project.

8 I know it's also a concern to the local
9 neighbors, the other two points up there, if there is
10 anything that comes from the plant that would impact a
11 neighbor that's on a local well right now, we would give
12 you the opportunity to deepen the well, if you choose to
13 do that, or potentially hook you up to the community water
14 district, either one of those that you might choose to do.

15 Another thing about the power plant is there will
16 be no discharge of water from the power plant. All the
17 water will be evaporated on site, and so there will be no
18 discharge to the local sewer or anything off the power
19 plant site.

20 Next.

21 --o0o--

22 MR. BUSA: We recognize, too, that any time you
23 build a power plant or any major project that there's a
24 potential to impact species of concern. We have
25 identified both either at the power plant site itself or

1 along the roots of the gas line or water line there is
2 potential habitat for several different species of
3 concern, that includes Swainson's Hawk, Giant Garter
4 Snake, Burrowing Owl, Vernal Pool Fairy Shrimp, Elderberry
5 Longhorn Beetle, those of you who are in the valley, and
6 valley oak and black walnut.

7 One of the things that we will need to do over
8 the next few months is work with the Commission to make
9 sure that we have a complete mitigation plan in place for
10 any impacts that we create to any species of concern.
11 Another part of the process is also to look very carefully
12 at that, too. And they'll also have some input along with
13 Fish and Wildlife Service, Corps of Engineers and quite a
14 few agencies looking at species.

15 We will also make sure that our workers are
16 trained, if they come in contact with any species that
17 might be on the site. And there will be a biologist on
18 site also to make sure that we are managing properly
19 anything that comes out of the Commission decision on
20 managing species.

21 --o0o--

22 MR. BUSA: Okay, who's the closer?

23 If you have any questions, we ask you to please
24 direct them to Tim, the first speaker, Tim Rossknecht.
25 His number is up there. Our director of Corporate

1 Communications, Carol Clawson, you can also call her. And
2 we just ask that you direct any questions, if you have
3 them, to FPL and through the Energy Commission.

4 Okay, that's all we've got.

5 HEARING OFFICER WILLIAMS: Thank you very much.
6 Are there any questions, at this point? If any of the
7 public has questions you are welcome to come up and use
8 the hand-held or the platform.

9 You need to come up. You really do need to come
10 up so that you can --

11 MS. TROTT: Hi, Judy Trott, T-r-o-t-t. I was
12 just wondering if you had planned where the power, gas and
13 water lines are going to be? I assume as the well is
14 going to be closed, the water is not an issue, but where
15 are the gas lines going to come?

16 MR. ROSSKNECHT: The gas line is going to -- PG&E
17 is going to build the gas line and bring natural gas into
18 the area. PG&E will also own and operate the gas line.
19 It won't be a line dedicated to the project. The line is
20 going to originate near Woodland, approximately 20 miles
21 from the site, and run almost due east and west, between
22 where it takes off just short of Woodland and the site.

23 HEARING OFFICER WILLIAMS: I would also add that
24 there's going to be another workshop here tomorrow. And
25 there's going to be another site visit tomorrow. And

1 they're going to go out and take a look at the linear
2 route for the gas line. So anybody who would like to go,
3 you're welcome to do that.

4 MR. POWELL: I have a question I'd like to ask.
5 Jack Powell, P-o-w-e-l-l, resident of Elverta. I would
6 like to know if this gas line is the same one that SMUD's
7 using for Proctor and Gamble and also Campbell's Soup? If
8 so, is this going to affect SMUD's power supply or gas
9 supply to Rancho Seco with the 2,500 megawatts they want
10 to build?

11 MR. ROSSKNECHT: No, it's not the same line.
12 It's not a SMUD line. It's a new lateral from the PG&E
13 backpump.

14 MR. POWELL: Okay. Real good. Thank you.

15 PUBLIC ADVISER MENDONCA: I have several
16 questions from Jay Kent. He had questions on water,
17 noise, pollution, size, water and power usage. And I
18 think the water and the noise have been addressed. But
19 there's a compound question about vibrations is that he
20 feel the trains when they go by and will the plant produce
21 vibration, will it create problems of settling on
22 buildings or roads, will the setting hardpan and sediment
23 have adverse effects?

24 MR. McCLOUD: The question regarding settling is
25 that, if that wasn't straightforward, there was a complete

1 geotechnical study that will be done on the site. On the
2 location of the major foundations that are going to go on
3 site to assure that there is no settling impacts or
4 anything along that line.

5 The question regarding ground transfer of
6 vibration is a question that we actually are in the
7 process of studying a little more thoroughly right now, so
8 we don't have a definite answer on that. Our expectation
9 is that that's not going to take place, but we're in the
10 process of reviewing that.

11 PUBLIC ADVISER MENDONCA: He asks will there be
12 light pollution or smog and what will the plant emit in
13 the way of light?

14 MR. McCLOUD: I addressed that a little bit in
15 the presentation. The lighting plan for the plant will be
16 designed to minimize any off-site light that comes from
17 the project. The part of the plant facing the community
18 will be the turbine building, large turbine building. And
19 the light emitting from that obviously will be indoors.
20 The lighting of most of the rest of the plant is kind of
21 behind that on the other side of where they'll be able to
22 see.

23 And, again, the profile for outdoor lighting is
24 on an as-needed basis, it's not like lighting up the whole
25 facility at all times.

1 PUBLIC ADVISER MENDONCA: Weather. Will the
2 plant create a thermal mountain and change the current
3 weather locally? The Delta breeze blows through here
4 almost every day. Will the plant make that breeze go
5 north of the area and will we therefore lose our evening
6 cooling? Will the wind be affected by the plant?

7 MR. BUSA: I guess the short answer to that is
8 no. Dave Stein is here with our consulting team who's
9 looked at the air modeling for the plant. Dave, do you
10 have anything that you might want to add to the wind
11 changes in the area?

12 MR. STEIN: Not possible. It would not be
13 possible for a facility of that size to impact weather
14 patterns in any measurable way.

15 PUBLIC ADVISER MENDONCA: The last question was
16 on power usage. Will the electricity produced stay here
17 or be sold elsewhere? Will the plant that's here
18 guarantee power that will be available locally?

19 MR. ROSSKNECHT: The plant is a merchant plant.
20 We are currently -- we have offered the plants output on
21 long-term contracts to SMUD, and we also have offered it
22 to NCPA. And our hope is that we'll get longer contracts
23 with local entities here. What doesn't go into long-term
24 contracts with local entities we'll market it to the
25 California PX system?

1 MR. RICHSKY: My name is Tim Richsky, and my
2 parents live in the house right across the street from the
3 site. And in 1986 the fence across the street, the
4 neighbor's gate, everything flooded in there, and I was
5 wondering what they're going to do about the flood danger,
6 and also the electromagnetic fields affect people?

7 MR. McCLOUD: The site itself -- actually, there
8 are a couple different parts to answer that question. The
9 area has been redesignated to a lower elevation line by
10 FEMA as far as flooding. That level is currently at
11 approximately 31 feet. The plant equipment itself on the
12 site build out would be located at the base elevation of
13 40 feet, well above the floodplain level. So the
14 likelihood of a flooding event on the plant is essentially
15 negligible.

16 The EMF question has been evaluated and looked at
17 in any application. The existence of the project itself
18 will create, and in anyway evaluated, no EMF impact.
19 Again, the area where the plant is being built obviously
20 is an area of high transmission, high voltage lines and
21 things like that.

22 HEARING OFFICER WILLIAMS: Anymore?

23 MR. CHADDOCK: My name is Chris Chaddock. I was
24 sort of curious on how many million BTUs of energy this
25 plant is going to be producing, exhausting through our

1 neighborhood?

2 MR. McCLOUD: I'm not exactly sure how to answer
3 that. I'm not quite sure what answer you're looking for,
4 Chris. We can do a calculation on the -- first of all,
5 there's an off-site cooling system. Obviously, in terms
6 of efficiency, we're going to be as efficient as we can
7 possibly be, simply from the standpoint of it's a
8 high-efficient plant.

9 I don't have a number. If the number you're
10 looking for is an exhaust heat out-of-cooling system,
11 certainly I can get that number, if that's important.

12 HEARING OFFICER WILLIAMS: Come on up, sir.

13 MR. GORDON: I'm Chuck Gordon, and I'm kind of
14 wondering on the water, this is a big concern is the water
15 in the wells and so forth. You're going to go ahead and
16 deepen wells. Who's going to pay for the additional power
17 it takes to pump this water out of these deeper wells?
18 And why haven't you also considered surface water? By
19 putting this pipeline in from Woodland, you're coming in
20 right across -- why not include a water pipeline to supply
21 the generator from the Sacramento River?

22 MR. ROSSKNECHT: Okay. The first part of the
23 question was addressed in the additional lifting costs for
24 wells, where we had to go and deepen. We're still in
25 talks -- in fact, we're just really beginning talks with

1 Rio Linda Water District on how that would work, but we
2 understand -- I understand the problem, if we deepen your
3 well, it costs more to get to the water. Any program that
4 we had, if that's the way the water supply ends up, we'd
5 take that into consideration.

6 So it would be a program, it could exist a lump
7 sum payment or it consists of an annual cost reimbursement
8 based on the annual energy costs. So it's certainly
9 something we would like at, or if there was some impact on
10 the local wells.

11 On the question of surface water, we have talked
12 to the Natomas Water District, and, at this point, I can't
13 say everything about it, but I can say there's a lot of
14 political and regulatory hurdles to bring water from a
15 neighboring water district into another water district.
16 Depending on how things go, we're going to look at all
17 options for water supply, for mitigation measures as we go
18 through this process.

19 HEARING OFFICER WILLIAMS: Are there any more
20 questions at this point?

21 MR. LAUGHLIN: My name is Pat Laughlin. I own a
22 piece of property on the other side of Cache Creek in
23 Yolo. And, of course, I've been put on your mailing list.
24 And I'm kind of concerned, because I'm wondering what's
25 going to be done to my property, are you planning on

1 putting a pipeline through it or are you going to -- what
2 effect will that have on the property? Will it prevent
3 the property from -- a portion of it being used for
4 residential use later on, and how do I find out about
5 this?

6 I see some flags on my property and that's the
7 first inkling that I've had that anybody's even looking at
8 it.

9 MR. ROSSKNECHT: I guess the question is you're
10 along the gas line route, and you're wondering what's
11 going to happen as far as the gas line construction. The
12 gas line would be buried, so there wouldn't be any visual
13 or environmental impacts after the gas line is
14 constructed.

15 The line will be owned and operated by PG&E. And
16 as I mentioned earlier, it's not dedicated to our project.
17 So, yes, you can potentially get gas from that gas
18 pipeline, but you would have to apply for service to PG&E
19 just as we had to apply for service to PG&E to get the gas
20 line built.

21 Now, the gas line is a high pressure gas line, so
22 there would have to be some T-off and a pressure reducer
23 et cetera. And I'm not familiar with how PG&E's customer
24 service -- how those costs are shared or anything like
25 that, but there would be a procedure you could go through

1 and get gas service to your residence or whatever you
2 intend to use it for on your property.

3 MR. LAUGHLIN: I'm not concerned about getting
4 any gas. I'm really concerned about what's it going to do
5 to the property. It's a piece of property that's been in
6 my family since the 1890s. You know, we've been kind of
7 holding on to it and watching over it and, you know, it's
8 something special to my grandmother and all that.

9 And I'm kind of concerned. I mean, it looks like
10 they want to just bisect the property. It looks like
11 there's at least flags right down the middle and I'm
12 wondering why they don't go beside the road, which is, you
13 know, a couple hundred yards over. I mean there's a
14 right-of-way there. Things like that concern me. And I'd
15 like to know just how I can look into this and get
16 answers.

17 MR. RICHINS: I'm Paul Richins with the
18 California Energy Commission, but I'll try to give you an
19 answer to your question. And that is any easements that
20 cross your line would have to meet with your approval, and
21 for PG&E or anybody else to come on the land, they should
22 be notifying you and requesting permission to come on to
23 your property.

24 If that hasn't occurred, you should contact these
25 people or you should try to contact PG&E and find out what

1 the activity is on your land, and they will enter into an
2 easement agreement with you, and they'll negotiate with
3 you on the actual route across your property. And so they
4 should work with you on that, so that future uses of your
5 property won't be limited.

6 Does that help?

7 MR. LAUGHLIN: It does.

8 MR. RICHINS: I'll be glad to talk with you
9 afterwards.

10 HEARING OFFICER WILLIAMS: Thank you.

11 Did you want to add anything to that?

12 MR. ROSSKNECHT: No.

13 HEARING OFFICER WILLIAMS: Okay.

14 COMMISSIONER ROSENFELD: This is Arthur
15 Rosenfeld, one of the Commissioners. I just got intrigued
16 at the question about the heat how many MTBUs would we
17 burn, somebody asked. It's about the same as the solar
18 energy foils on a quarter of soil on a hot day. Of
19 course, it doesn't say whether it goes up the stacks, but
20 it's a quarter of the amount.

21 HEARING OFFICER WILLIAMS: Okay.

22 MS. TROTT: I was wondering if you have any
23 assurances that the residences close by will not be
24 affected any worse for flooding than they already are?

25 MR. McCLOUD: In bringing this level of water to

1 acquire a balance in the flood zone that we cannot deplete
2 any existing flood zone in order to impact anything off
3 the site, so it's a requirement of the grading.

4 HEARING OFFICER WILLIAMS: Okay. I think what
5 we'll do now is we'll move ahead to staff. And, again, I
6 would ask Lance Shaw, the project manager for the Energy
7 Commission to, again, say a little bit about the workshop
8 tomorrow in case folks are interested in coming back
9 tomorrow.

10 Lance.

11 PROJECT MANAGER SHAW: Thank you, Major.

12 I want to thank you for coming out this evening
13 and also thank Pastor Dick Richards and the members of the
14 church for making the facility available. One of the
15 things we're doing and I'm asking one of our co-counsel,
16 Caryn Holmes, to set up foils for the presentation.

17 Tomorrow's event is a data request workshop that
18 several people have said we're just beginning the
19 discovery process for the Energy Commission.

20 And what that is is we're asking a number of
21 questions, and the data requests were on the inside table.
22 And I have some others for those of you who may want them
23 and didn't get them. If you want data requests, I'll see
24 that you get them. I do have a few. They look like this.
25 These are additional questions, and we will have other

1 data requests. We call them rounds. There will be other
2 rounds of data requests. You also can submit data
3 requests. This is what they look like.

4 It's asking for information. Then tomorrow's
5 meeting will be to make sure the applicant understands the
6 question. We don't want the answers tomorrow. The
7 answers are due in about 30 days, so that's a data request
8 workshop.

9 The notice is given, and it looks something like
10 this. And it starts with a more extended tour tomorrow at
11 9:00 o'clock here at the church. There will be a bus here
12 and we want to see what a gas pipeline is. We want to
13 know exactly where those wells will be. We want to know
14 exactly where those water lines will run and we want to
15 know exactly where the reconducting is in the south part
16 of the county. The staff will do a thorough analysis of
17 the project. So these should be in the back table or up
18 here.

19 --o0o--

20 PROJECT MANAGER SHAW: Also, I know that not
21 everyone can stay, because you do have jobs, so I'm going
22 to note the reason why this gentlemen has asked us to
23 identify is all of this is being transcribed. It will be
24 on the web site. The presentation I'm going to give is
25 also on the back table, and I brought some forward. It

1 looks something like this, and I can leave a few here, if
2 you want to have them. And this is called the process.
3 If you want to take some and pass them back, please.

4 This is our process that the Energy Commission
5 goes through, as well as the significant issues we have
6 identified to this point. There is also something called
7 the issues identification report, which Major Williams
8 mentioned, filed on May 4th.

9 And it looks something like this. And it talks
10 about the significant issues that we've already identified
11 and they are also on the slides.

12 Major, did I address everything so far?

13 HEARING OFFICER WILLIAMS: Yeah, I think so.

14 PROJECT MANAGER SHAW: Are there any questions
15 about what I just said, then I'll go to our presentation,
16 but if that's not clear, I'd rather have clarity before we
17 go forward?

18 Is that a stretch or did someone have a question?

19 That's not a hand, okay.

20 My back is to you a bit, because I don't want to
21 read some of this. I won't read it word for word, but you
22 have it available.

23 (Thereupon an overhead presentation was
24 presented as follows.)

25 PROJECT MANAGER SHAW: But this is the Energy

1 Commission's reviewing of the Application For
2 Certification. So if we use the word AFC that's what that
3 is, the Application For Certification. This is an
4 overview of the process that our staff goes through.

5 --o0o--

6 PROJECT MANAGER SHAW: If you would, please. The
7 purpose of siting the power plants is to ensure that
8 there's a reliable supply of electrical energy balancing
9 that with the protection of public health and safety,
10 promotion of general welfare, and environmental quality
11 protection.

12 --o0o--

13 PROJECT MANAGER SHAW: Some I will read word for
14 word. We mentioned this and I hope this slide makes some
15 sense, and, again, you have a hard copy. That says that
16 the decision on this project or any project, part of our
17 presentation is generic, is made by a majority vote of
18 five Commissioners. Each project gets two members who --
19 or two committee persons who review the project. They're
20 Commissioner Rosenfeld, who answered the BTU questions
21 that are physicists and Commissioner Moore.

22 The Hearing Officer is Major Williams, that's
23 hard to see up here, and the applicant is FPL Energy
24 Sacramento Power.

25 We work with local, State and federal agencies.

1 And the lead federal agency on this project is Western
2 Area Power Administration, again, represented by Nancy
3 Werdel, who's the environmental manager locally.

4 The Energy Commission staff, which is the third
5 box in, I am the staff's siting project manager. There's
6 a compliance project manager, Ila Lewis. Ila, would you
7 stand up for a minute. Just so you'll know, when a
8 project, any project, is licensed by the Energy
9 Commission, you may be seated now thank you, there are
10 conditions of certification. If those conditions change,
11 the applicant has to come back into the Energy Commission
12 and have those reviewed again, for the length of the
13 project. If that plant operates for 30 years or 40 years,
14 we don't love you and leave you.

15 Then I mentioned the staff co-counsel are Caryn
16 Holmes, the lady on the slides and Darcie Houk. Darcie,
17 would you stand up so everyone will know who are the
18 attorneys involved.

19 Thank you.

20 Then with it, intervenors are a part of the
21 process, and the public is part of the process. And
22 Roberta Mendonca the Public Adviser is also on that slide.

23 --oOo--

24 PROJECT MANAGER SHAW: The Energy Commission
25 Siting process. The Energy Commission has permitting

1 authority over thermal power plants 50 megawatts or
2 greater. Fifty megawatts are typically a community of
3 about 50,000 people. We coordinate -- what we're
4 concerned about the, we call them, linear facilities and
5 that's what's in this area, the transmission line, water
6 supply system, natural gas, pipeline, waste disposal,
7 access roads et cetera. It's coordinated with federal,
8 State and local agencies.

9 I said Western is the lead agency here. And the
10 California Energy Commission is a lead agency for carrying
11 the California Environmental Quality Act.

12 --o0o--

13 PROJECT MANAGER SHAW: Our processes are open,
14 workshops or hearings. If you're not on our mailing list,
15 and the sign-up sheet is out there, there's a box to check
16 if you want to be on our mailing list. There's another
17 way you can get on our mailing list, which has already
18 been stated, that is when you go to the Energy
19 Commission's home page. The picture differs, but right to
20 the right-hand side bottom, right bottom picture is a
21 little place called automated E-mail sign up. You can go
22 there and sign up for anything, efficiency on your
23 refrigerator, power plants.

24 And when anything goes to the web site related to
25 this power plant, and it will from tonight's -- this

1 transcript will go to the web site, you will automatically
2 get an E-mail message that said I sent it to you, it's
3 automatic, and it comes to you. There's a way to
4 unsubscribe if you don't want it.

5 So you can get messages any time something goes
6 to the web site. And these two meetings, the meeting
7 tonight and the meeting tomorrow are on the web site. You
8 can also get on a mailing list and this is 10 to 14
9 calendar days, that's another way this goes out. And
10 there are also copies of the Application For Certification
11 at the library listed, the Energy Commission library, the
12 Rio Linda web site, which you can also find fairly easily
13 on the Energy Commission web site. And it tells you what
14 our dockets unit is.

15 And all the documents involved go there. For
16 example, a gentlemen, Mr. Chris Chaddock, handed me
17 something as we were on the bus tour. And I assured him
18 I'd take it and get it docketed, so it would be in the
19 public record. I don't know what he gave me, but you'll
20 have a right to know if you choose.

21 --o0o--

22 PROJECT MANAGER SHAW: This is rough. This is a
23 12-month process. And data adequacy is about 45 days or
24 so from -- our first data adequacy review is about 45 days
25 after the application is filed. This application was

1 filed on February 2nd of this year.

2 We're now in the discovery phase within this
3 point of analysis. And that's where we do data responses,
4 and environmental assessments. Staff preliminarily
5 sent -- I will say a little bit more about those. There
6 will be committee hearings, that's already been mentioned.
7 The decision is now not in the hands of staff. It goes to
8 the Committee.

9 And I mentioned a compliance, Ila Lewis stand up,
10 after it's plant certified, it goes to a compliance
11 project manager.

12 --o0o--

13 PROJECT MANAGER SHAW: Staff workshops. The
14 first one is tomorrow, that's the data request workshop.
15 And we will be asking questions. As I said, there is one
16 question, one through 99, it's not a, b, c, d.

17 The Committee -- let me just say a little bit
18 more about that. The purpose of that is to make clear the
19 question. As an example, and I don't know one of the
20 ladies asked me on the bus tour about a question of
21 cultural resources.

22 Let's just assume the applicant wasn't sure what
23 we were asking them for. Our purpose is to facilitate not
24 frustrate the process. If the applicants say I don't
25 understand what you mean, someone in cultural resources

1 will say, we ask a very similar question to that in the
2 Contra Costa case and this is what a good answer looks
3 like. This is what we're looking for.

4 We don't want it to be a mystery of what we're
5 asking for, so that's the purpose of the workshop to make
6 the question clear.

7 Now, there will probably be a data response
8 workshop. And some of those will be at the Energy
9 Commission with phone calls and some will be in the
10 community.

11 There will be issues resolutions. We're going to
12 identify three specific issues this evening. There may be
13 more, but three are clearly identified. And I'll tell you
14 what they are. It's air quality, visual impacts and
15 water.

16 I don't need to say anymore about that.

17 Thank you.

18 --o0o--

19 PROJECT MANAGER SHAW: The first bullet will use
20 the word LORS quite a bit, Laws, Ordinances, Regulations
21 and Standards. This Environmental Assessment will involve
22 what the staff is after tomorrow. I mentioned this to
23 several people on the bus. Our staff needs to -- and I'm
24 saying -- our staff on this project is between 30 and 40
25 people. If you were here earlier, there were three ladies

1 that I've spoken to by phone and by E-mail that never met.
2 The others that will be here tomorrow that I will have
3 spoken to by phone and E-mail and have never met. And
4 they're not just working on this project, they're working
5 on other projects.

6 I want to say this, so you'll know it's not
7 disturbance. They won't show up because they're in other
8 places. One of the ladies, I mentioned, is in Modesto
9 tomorrow, so she can't possibly be here. We have a phone
10 call in. In case you're busy, you can call in if you
11 choose, but our staff won't always be here, but we will
12 get you an answer. That's a commitment.

13 So when we come up with -- after the discovery
14 process, we come up with something called a preliminary
15 staff assessment, which is a public document. We will
16 hold workshops on, what we call, the PSA. Since this
17 project is being jointly reviewed by Western, Western will
18 be doing either an environmental assessment or an
19 Environmental Impact Statement. We're not sure yet which,
20 but that PSA, it's a joint document, so it will be a PSA
21 slash Draft EA or Draft EIS.

22 We'll have workshops on that and take your
23 comments. Any written comments we will respond to in
24 writing. We will say comment from a gentleman about his
25 property in Cache Creek. This is the staff's response to

1 that question. If he still has a question, it will be a
2 session -- again, we find staff's final assessment, which
3 is what that's about. I mentioned our initial issue and
4 that's enough.

5 Next one, please.

6 --o0o--

7 PROJECT MANAGER SHAW: Again, if you don't have a
8 copy, I'll see that you get a copy that you want.

9 Staff works closely with different agencies. I
10 will call out specifically, since this project is in both
11 County of Yolo and Sacramento. Mark, would you stand.
12 You came in late. Mark Hamblin is our land use guy.
13 Other people introduced themselves. And Mark has been in
14 land use in both counties.

15 We'll also -- this is in the Sacramento
16 Metropolitan Air Quality Management District and I'll
17 share a little more about that, so we'll go over the
18 districts that are involved. And then the rest of them
19 we've already identified.

20 Caryn, please.

21 --o0o--

22 PROJECT MANAGER SHAW: Ways you may participate.
23 You may submit written comments, statements to the
24 Commission, provide oral comments at public meetings, such
25 as you will tonight, become a formal intervenor, if you

1 choose, and Roberta Mendonca mentioned that quite a bit
2 tonight, and you can provide written comments on the PSA,
3 and staff's draft EA/EIS.

4 Thank you, Caryn.

5 --o0o--

6 PROJECT MANAGER SHAW: This is how to reach us.
7 Lance Shaw and it shows my own phone. And there's my
8 E-mail address. The web site, I mentioned earlier. And
9 Nancy Werdel's phone and E-mail address. Major Williams,
10 Hearing Officer. Roberta Mendonca and Tim Rossknecht the
11 project manager for FPL Energy Sacramento.

12 --o0o--

13 PROJECT MANAGER SHAW: This is quick.

14 Major, did you want me to go to the issues or do
15 that later?

16 HEARING OFFICER WILLIAMS: Go right ahead.

17 --o0o--

18 PROJECT MANAGER SHAW: This is the second topic.
19 This is specific to this project. The purpose is to
20 inform the participants of potential issues, give an early
21 focus, and it's not limited to the ones that you see
22 tonight. There may be more significant impact issues that
23 are uncovered.

24 Here's the criteria and this is an "or" test not
25 an "and" test. If the project has impacts that may be

1 difficult to mitigate, it may be an issue; if it has
2 noncompliance with certain Laws, Ordinances, Regulations
3 and Standards, it can be an issue; if it's potentially
4 contentious, it can be an issue; if it may impact the
5 schedule, it can be an issue. We do not have to have one
6 plus two plus whatever.

7 --o0o--

8 PROJECT MANAGER SHAW: Potential Major Issue
9 Areas For Rio Linda.

10 (Thereupon the lights went out.)

11 PROJECT MANAGER SHAW: I can read it.

12 HEARING OFFICER WILLIAMS: The Court Reporter has
13 power, so if you just can speak loudly.

14 PROJECT MANAGER SHAW: Thank you. Plan B.

15 Okay, I missed the one just before it. The site
16 had a prior analysis with a different project. There's
17 air quality, I mentioned a few minutes ago, visual
18 resources and water.

19 I'd like to read the thing about the site and,
20 again, you have it in writing.

21 For this case, staff has an advantage of
22 familiarity with the site based on the prior analysis for
23 a prior project, albeit a different project. Based on the
24 prior project's analysis, one of staff's main concerns is
25 the use of groundwater.

1 The Commission decision prohibited the use of
2 groundwater. The project is proposing the use of
3 groundwater. Even though staff did a prior analysis, this
4 project presents additional issues, for example, it
5 proposes linear facilities such as a 20 mile natural gas
6 pipeline, which has not been fully analyzed.

7 Can you hear me okay?

8 No?

9 THE AUDIENCE: Yes.

10 --o0o--

11 PROJECT MANAGER SHAW: Okay. I guess I can't
12 hear you okay.

13 The size of this power plant is approximately
14 500 -- is greater than 560 megawatts compared with about
15 138 for the Sepco project. The size difference leads to
16 impacts to air quality which have not yet been fully
17 analyzed.

18 --o0o--

19 PROJECT MANAGER SHAW: Air quality.

20 --o0o--

21 PROJECT MANAGER SHAW: The air emissions offset
22 package, which is a confidential filing, I haven't seen
23 it, it's in-house and the air person is evaluating, but I
24 have not had a reason to see it. Let me say it that way.

25 It's a confidential filing of stationary and

1 agricultural burning and it's complicated. Approximately
2 half of the emission reduction credits, or ERCs, are in
3 Feather, Placer or Yolo/Solano Air Districts. Air
4 districts are reluctant to allow transfers to other
5 districts and prefer to maintain the ERCs to protect air
6 quality and to allow growth within their -- I've got to
7 stay close to this guy -- to allow growth within their own
8 districts.

9 Was it clear what I just said?

10 THE AUDIENCE: Yes.

11 PROJECT MANAGER SHAW: The area emissions offset
12 package is incomplete and in some quarters of the year --
13 is incomplete in some quarters of the year. My last
14 bullet, reliance on agricultural offsets will require
15 significant effort by the applicant, the air districts,
16 California Air Resources Board or CARB, and the USEPA to
17 identify and resolve offset problems regarding whether
18 credits are real, quantifiable, surplus, permanent and
19 enforceable.

20 --o0o--

21 PROJECT MANAGER SHAW: Next, visual resources.
22 The proposed project will be visible from a substantial
23 number of residences and to recreationalists in the
24 vicinity of the project. The AFC has identified visual
25 impacts to some residences.

1 The visual impacts to recreationalists are
2 potentially significant. The AFC indicates that the
3 visual impacts to residences would be mitigable with
4 landscaping, however, a detailed landscape plan and visual
5 simulation showing the landscaping have not been provided
6 to staff at this time.

7 The proposed power plant may cause significant
8 visual impacts, due to visible water vapor plumes from
9 both the cooling tower and the heat recovery steam
10 generators, which are called HRSG, or if we use the term
11 HRSG, that's what that means, stacks.

12 Information presented in the AFC indicates that
13 plumes of up to 120 feet in height would occur 75 percent
14 of the time, and some plumes as high as 1,200 feet could
15 be produced at other times. Such plumes would constitute
16 a significant visual impact. The applicant has not
17 proposed mitigation for these potential impacts.

18 --o0o--

19 PROJECT MANAGER SHAW: Water Resources. As part
20 of the decision from the previously proposed project at
21 this site, the Commission denied the use of groundwater
22 because of potential adverse groundwater impacts, that is
23 migration of the McClellan contamination plume, lowering
24 of the water table and impacts to neighboring wells.

25 Another bullet, even though local groundwater

1 levels continue to decline, the McClellan contamination
2 plume persists and neighboring wells remain mostly
3 unchanged. The Rio Linda/Elverta Power Project, RLEPP,
4 proposes to use groundwater to supply 2,823 acre feet of
5 water per year, from a minimum of three new wells, similar
6 to that already denied by the Commission.

7 Last, no localized groundwater analysis has been
8 conducted or evidence submitted to show that there is any
9 change in local conditions to merit a change in the
10 Commission's previous decision.

11 --oOo--

12 PROJECT MANAGER SHAW: Milestones for the
13 proposed schedule. Now, again, this is -- there's a
14 filing out on the table. I believe it's filed on the 9th,
15 and it gives a proposed schedule. The applicant also gave
16 a proposed schedule. Again, the Committee sets the
17 schedule. This is our staff's proposed schedule.

18 And it says the AFC became data adequate, I told
19 you, filed on February 2nd. It became data adequate on
20 April 18th. Staff filed data request number one
21 yesterday, so that was the 15th. The AFC informational
22 hearing and workshop, this was the hearing and site visit
23 that was held tonight. There will be a more extensive
24 site visit for staff in data request workshop number one,
25 which is tomorrow.

1 We anticipate that the Sacramento Metropolitan
2 Air Quality Management District will file its preliminary
3 determination of compliance on or about August 21.

4 We expect to file the Preliminary Staff
5 Assessment or PSA and Draft Environmental Assessment or
6 draft EIS on or about October 9. Staff will conduct its
7 first workshop on the PSA, so some ten days or so after
8 that's out, you've had a chance to review, agencies have
9 had a chance to review it, applicant has had a chance to
10 review it, we intend to conduct our first workshop on the
11 PSA. It is not unusual for this to be continued and go
12 for more than one day, if it's two days, three days,
13 sometimes whatever is required. We want to hear what you
14 think about our preliminary analysis.

15 We anticipate filing the Final Staff Assessment,
16 which is the Final Staff Assessment slash EA, since this
17 was Western or EIS, on or about Thanksgiving, around late
18 November, about November 27.

19 Then the community will probably start
20 evidentiary hearings around the early part of December.
21 We expect a decision about year after it was found data
22 adequate, around 4/17 of the year 2002.

23 --o0o--

24 PROJECT MANAGER SHAW: Closing, my last foil, and
25 then I'll ask the attorneys if they have any comments that

1 I might have missed something. Staff proposes to provide
2 periodic status reports to the committee and to you on the
3 progress in addressing these and other issues. Typically,
4 the Committee asks for a status report on a monthly basis.
5 And if anything happened significant, I can produce one
6 sooner, and those do go to the web site.

7 The next step, there's a data request workshop,
8 tomorrow. And that starts with a tour, I'll say it again,
9 at 9:00 o'clock tomorrow. Everybody is invited. It gets
10 extended, then we will have a meeting here at 1:30. And
11 we'll have a phone call in. And that number, if you don't
12 have it, is on your announcement and I do have a copy up
13 here and some on the back table.

14 The issues that we've identified to this point,
15 and I'm again summarizing, are air, visual resources, and
16 water. We have data requests in the following areas:
17 Biological resources, cultural resources, and one of the
18 ladies on the bus had a question on those, geological
19 resources, hazardous material management, land use, noise,
20 power plant reliability, traffic and transportation.

21 Jim Fore, are you here. Jim Fore, stand up,
22 that's our traffic and transportation guy, okay. Visual
23 resources, water and soil. That's all I have.

24 Darcie Houck, did you have any comments, anything
25 I missed?

1 STAFF COUNSEL HOUCK: I think you covered it all.

2 PROJECT MANAGER SHAW: She said you covered it
3 all. Caryn Holmes, did you have anything?

4 SENIOR STAFF COUNSEL HOLMES: I agree with
5 Darcie.

6 PROJECT MANAGER SHAW: Okay. Thank you. I'm
7 done. Are you going to take questions now?

8 HEARING OFFICER WILLIAMS: Yeah. Just let me say
9 while it's on my mind that in case it seems sort of
10 confusing to you, but the gentlemen you see up on the dais
11 are the decision makers. Although staff and everybody
12 works in the same building, it's all Energy Commission.
13 For purposes of siting a case it's a trial like a process.

14 Staff is independent. They do their
15 environmental assessment. Applicant does the same. And
16 the intervenors come in and interested agencies come in
17 and we create a public record and the decision makers or
18 the committee and ultimately the Commission.

19 So the purposes of this process, you have to view
20 it as the Committee being a separate entity for purposes
21 of a decision.

22 Okay. Do we have any questions, at this point?
23 The only requirement is that you're going to have to talk
24 loud until the power comes back on or come up here. So if
25 you have any questions, come on up so the reporter can

1 hear and identify yourself again.

2 MR. GORDON: Gordon, G-o-r-d-o-n. The tour
3 starts tomorrow at 9:00 o'clock. What time will it return
4 here?

5 PROJECT MANAGER SHAW: I don't know the answer.
6 It will return by 1:30, but it depends on how long it
7 takes us to see it. You see, we didn't see any of the
8 pipeline route, and we didn't even see the reconductor in
9 the south part of the county. We want to see all of that.
10 If we come back at 1:30, I don't mind starting
11 the meeting right away.

12 MR. GORDON: Thank you.

13 HEARING OFFICER WILLIAMS: Anymore questions?

14 Okay. I think if I could get my committee back.
15 Commissioner Moore.

16 Okay. I think, at this point, does anyone,
17 before we get to the blue cards, does the applicant have
18 anything further to add at this point?

19 MR. ROSSKNECHT: No.

20 HEARING OFFICER WILLIAMS: Okay. I'm going to
21 move right into the blue cards then. And I'm going to,
22 again, call the names in alphabetical order. And as I
23 call your name, please come up to the front so the
24 reporter can take down your comments.

25 And we're asking that you limit your remarks to

1 no more than five minutes, okay. The first name that I
2 have is Carole Antonelli.

3 MS. ANTONELLI: I'm sure, at some point in time,
4 I'll have more comments and more questions. I live
5 directly across the street. Our property is almost
6 adjacent to the proposed site on the corner of West U and
7 6th street. I come tonight kind of, you know, a little
8 bit perplexed, fairly open minded due to the energy
9 crisis, although knowing that this was going to greatly
10 impact me personally.

11 And there's a few things that kind of got to me.
12 You know, I know I'm from Rio Linda, but I'm not totally
13 stupid. I don't think the little trip down Straw Road was
14 necessary. My own personal feeling was that this was to
15 set a mood. So if somebody said later on, well what kind
16 of an area is this going in? Oh, don't worry about it,
17 there's just some unfortunate, underprivileged people
18 living in little shacks and some junk yards.

19 That was the first impact of everybody on the
20 bus. I, myself, personally don't believe that Straw Road
21 was necessary. I think a direct route to the site would
22 have been more appropriate.

23 And though, as nice as it may be, these people
24 aren't my family or my friends, so I don't think dinner
25 was necessary. I don't think this was a dinner meeting.

1 I think the community center would have been a more
2 appropriate place to hold the meeting. But those are just
3 my own personal feelings, and they have nothing to do with
4 what's going on.

5 My concerns, most of them have already been
6 covered and voiced, is water, the air quality, noise. I
7 mean we irrigate and there's no way we could be connected
8 to city water if we're to irrigate our pasture for our
9 cows and our horses.

10 Visually, it will -- we will have no view. The
11 back of our house, our outside living area, our patio, all
12 the outside living area faces west directly towards it.
13 That's where our sunset is. That's where we see
14 everything. We see the cows going across the crest there
15 and we won't any longer be able to see that.

16 That's a great concern to me. We've only been
17 there three years, you know. We're just -- I just
18 retired. My husband is just getting ready to retire, so
19 we spent our life savings to buy this nice little quote,
20 "farm." It may not be much to some people, but it's a
21 whole lot to us.

22 Now, had we known that this was going in or had
23 it already existed, would we have bought there?

24 Most definitely not.

25 Now, there was somebody from one of the news

1 stations out today talking to my husband, and he was
2 trying to get some noises, like on a noise level. The
3 loudest noise he could get were the birds in the trees
4 singing. Now, I'm not going to say that we don't have
5 some traffic or some noise. You know, once in awhile one
6 of those cows have a calf, they make lots of noise, and
7 that's a pretty high decibel.

8 I'm concerned about traffic, not what the
9 projected route is, but what -- in the future, what's
10 going to happen on West 6th Street? What's going to
11 happen on U Street. How much traffic am I going to have.
12 I'm currently being treated for asthma, so I'm definitely
13 concerned about the air quality, about the problems that
14 dust -- and, you know, it's easy for a company to say,
15 well, this isn't going to happen, this isn't going to
16 happen, this isn't going to happen.

17 Well, true maybe not today, but how about
18 tomorrow, next week, next month, next year. Like I say, I
19 think I came pretty open minded, maybe I didn't, but I
20 just kind of feel like we're being waltzed around or like
21 maybe the Florida Power and Energy Commission doesn't
22 think we're quite bright enough here to get it, or
23 something.

24 You know, just above board. This isn't
25 necessary. We don't need to meet in a church and we don't

1 need to be wined and dined. I didn't come, although I did
2 partake, I mean it was there, why not. I was already
3 here, but that isn't the reason. I didn't need to spend a
4 half an hour while everybody had cookies and sandwiches
5 and stuff like that. There are many people here that are
6 residents that are far more knowledgeable than I am about
7 what's going on.

8 And I'm sure you hear a lot from them. I am only
9 voicing my own personal concerns as a property owner and a
10 woman and a grandparent. And, basically, that's all I
11 have to say.

12 Thank you.

13 If I could read in this dim light, I'm sure I'd
14 have more, but I'll let it go for now and address some of
15 the other issues later.

16 The visual impact is a big, big issue. The water
17 is a big issue. Property value is a big issue. What I
18 was told is that property values would probably initially
19 decline some, but then once everybody got used to it and
20 they saw that there was not going to be an environmental
21 impact, that they would probably go back up. Probably?
22 Probably, what's probably mean?

23 I want to know, yes, they will go back up or yes
24 your property is going to keep right with the times,
25 appreciate just the same as the rest of the property.

1 Environmental impacts to who? To people around the corner
2 and down the street who don't want to look at it. Is
3 there anybody here that will want to buy my property once
4 the power plant is there?

5 Me either. That's all I have to say.

6 HEARING OFFICER WILLIAMS: Thank you. The next
7 name is Carl Brothers.

8 Carl Brothers.

9 MR. BROTHERS: Well, as you all know, Rio Linda
10 and the rest of the country knows that Rio Linda has
11 plenty of water, but it's only in the winter time.

12 (Laughter.)

13 MR. BROTHERS: And it runs out into the ocean.
14 Now, I understand that the wells are dropping. What is in
15 your plans to relieve the water whenever it gets down to
16 where the water is tracking off. I guess, I'm supposed to
17 ask you. I'm sure you have it in your plans, but we've
18 got plenty of water running out to the ocean that flood
19 the area. And we could capture that if you want to.

20 Thank you.

21 HEARING OFFICER WILLIAMS: Thank you. Deborah
22 Byrne is it?

23 MR. BYRNE: I'm Debbie Byrne, Chairman of the
24 Community Planning Advisory Council commonly known as
25 CPAC. We're appointed by the Sacramento County Board of

1 Supervisors.

2 The CPAC is usually the first public forum to
3 hear planning issues. The land use issue has not been
4 settled for this site, and we would like to see it added
5 back to the list of potential major issues.

6 This land was formally the site for a
7 cogeneration project known at Sepco. The zoning agreement
8 for this site required that two methods be used to
9 generate power. Throughout the process Sepco tried to get
10 this requirement dropped by the CEC. The CEC declined to
11 do so.

12 Now, the county unilaterally has dropped that
13 cogeneration requirement for this site, without going
14 through the public hearing process. CPAC has now been
15 asked by the public to start this public hearing process
16 and FPL has agreed to appear at one of our meetings for a
17 public hearing.

18 Once CPAC has heard from the public, we will be
19 continuing to process through the Planning Commission and
20 the Board of Supervisors.

21 COMMISSIONER MOORE: How many members are on your
22 committee?

23 MS. BYRNE: Nine.

24 COMMISSIONER MOORE: All appointed by district?

25 MS. BYRNE: By the County Board of Supervisors.

1 COMMISSIONER MOORE: Right. So you're not all
2 from this area?

3 MS. BYRNE: Yes, we are.

4 COMMISSIONER MOORE: Okay. So there's other
5 CPACs in the other supervisor's areas?

6 MS. BYRNE: There are 17 other CPACs in other
7 areas.

8 COMMISSIONER MOORE: Are you required to submit a
9 formal annual report to the Board of the PC?

10 MR. BYRNE: No. Any issue that is to go before
11 the Planning Commission or the Zoning Administrator or any
12 of those sorts of things, come before our body as the
13 first public hearing, then it goes to the Planning
14 Commission, and thereafter required to the Board of
15 Supervisors.

16 COMMISSIONER MOORE: And are you planning to hold
17 any concurrent meetings, town hall meetings or hearings
18 during our process?

19 MR. BYRNE: Yes. As I said, FPL has agreed to
20 come to one such meeting and we'll probably have other
21 meetings as well.

22 COMMISSIONER MOORE: Okay. I think you could
23 come -- you don't need formal intervenor status, because
24 we would consider you a public agency. But, hopefully,
25 you'll be represented at each one of our workshops and at

1 our public hearings as well.

2 MR. BYRNE: Hopefully, we will be at all of them.

3 Thank you.

4 COMMISSIONER MOORE: Thank you.

5 HEARING OFFICER WILLIAMS: The next name is Patti
6 Cowatti.

7 MS. COWATTI: Hi. I came prepared to talk up a
8 storm, but instead I'll pass these to you and you can keep
9 them. And I also brought some photos that I'd like you to
10 review. These are taken in the nonflood years. This is
11 just the backup water on this proposed site. This is
12 along 6th street and this is down --

13 COMMISSIONER MOORE: What year?

14 MS. COWATTI: That was taken in January of '99.

15 COMMISSIONER MOORE: She's showing us pictures
16 that were taken in January of '99 on West 6th Street.

17 These are photos in February of 2000 at the site
18 or in the periphery of the site showing shallow flooding
19 on the land immediately surrounding it.

20 The last picture is February 2000 and it's
21 showing the field where the well would be covered with
22 water.

23 HEARING OFFICER WILLIAMS: Are these for our use
24 or --

25 MS. BYRNE: I could make copies for you.

1 COMMISSIONER MOORE: Mr. Shaw, we'll get these to
2 you and expect that they'll be docketed then.

3 PROJECT MANAGER SHAW: In deed.

4 COMMISSIONER MOORE: She'll provide copies.
5 She's now passing out a copy of a letter to us, and if you
6 wouldn't mind giving a copy to Mr. Shaw, addressed to us
7 dated May 16.

8 MS. COWATTI: Yeah, because of the time limit, I
9 think it would be easier to do that.

10 COMMISSIONER MOORE: And you'll docket that as
11 well then.

12 MS. COWATTI: And as a final comment, I would
13 like to say that this community has a lot to offer in the
14 future. We can either add this power plant and decline
15 the community, since it's being built with a 30 to 50 year
16 life or we can look at this land and this area over the
17 next 30 to 50 years and see it as a very high potential of
18 holding on to some very valuable land in a very populated
19 valley.

20 Thank you.

21 HEARING OFFICER WILLIAMS: Ms. Cowatti, when you
22 submit the pictures, would you somehow figure out how to
23 label them, and describe, you know, what each picture
24 denotes, so it will be clear.

25 MS. COWATTI: Yes, I will.

1 Thank you.

2 HEARING OFFICER WILLIAMS: Thank you.

3 Chris Haddock, Mr. Haddock.

4 MR. CHADDOCK: Chris. Yes, Chris Chaddock.

5 HEARING OFFICER WILLIAMS: Oh, I see. I thought
6 that was an initial, I'm sorry.

7 MR. CHADDOCK: I have copies of a list of some of
8 my concerns that I gave to Lance and he'll docket it. A
9 couple of words here in front of what I have had docketed,
10 but I had a thought that wasn't based on legal terms. I
11 was contacting experts in air quality, water resources,
12 zoning and even talked to FPL and others. They're all
13 experts in their fields with varying degrees, Masters,
14 Ph.Ds. They have had long-term employment in their field.

15 And I asked them -- when I was asking -- I was
16 trying to find out where to get more information about the
17 licensing and the process to educate myself. One thing
18 was always in common with all these people that I talked
19 to. They all said, sure, I would not want such a plant so
20 close to my home.

21 I'm a property owner adjacent to it, and I, too,
22 don't like it, but I'm perplexed with the energy issues,
23 but I talked to experts, experts in their fields. They
24 all have expertise in all their degrees. And all of them
25 said they would not like to have this power plant in their

1 backyard.

2 I think that in the process we are required to
3 talk to experts to get their opinions about a power plant
4 licensing in the process. They all have given their
5 personal opinions in this. As this may not be on the
6 legal aspect or what's required by law, but they all seem
7 to have the same answer, no, I would not want a power
8 plant, such as this, in my backyard.

9 And as such though, that's neither hear nor
10 there, because it's an opinion of mine. I have some
11 concern, I think, that our Commissioners, would any of the
12 Commissioners want a power plant such as this 700 or 800
13 feet from their backyard? I don't know if you're required
14 to answer a question like that.

15 COMMISSIONER MOORE: I think we can't answer
16 that.

17 MR. CHADDOCK: Okay, thank you. I'm Chris
18 Chaddock. I'm a concerned citizen and a property owner
19 adjacent to the proposed FPL Energy Sacramento Power,
20 Limited Liability Corporation.

21 I am opposed and I am amazed that this property
22 can be developed into anything other than its present use,
23 cattle grazing. It's in the 100-year floodplain and
24 there's a new May 19 -- I mean, excuse me, 2001 resolution
25 from the County of Sacramento WA-2425. It's a Sacramento

1 engineering report that calls for future change to the
2 flood maps, new studies on groundwater depletion contrary
3 to the existing water master plan that the County EIR has
4 developed.

5 They are furthering this study. It will be up
6 for being funded in, I think, it's in June 16th roughly.

7 They're very concerned about the old EIR Reports
8 and groundwater depletion in this area. Other present
9 zoning agreements that are in place as of today that are
10 law, says no water from the Rio Linda Water District can
11 be used for this property for industrial purposes. That's
12 resolution 95-0116. CEC's Commission Decision 92-AFC-2,
13 95 AFC-2(a).

14 And, again, in the resolution number 990589
15 docketed CEC 92-AFC-2(c) they're all required not to be
16 used as groundwater for this project.

17 FPL wishes to use old zoning thoughts and left
18 out of their AFC the new community plan adopted by the
19 Board of Supervisors, Resolution 980683. It was an
20 adopted community plan, was required by law to leave the
21 M2 zoning at the time that they did their new community
22 plan.

23 They possessed a valid CEC license for the
24 licensing of a power plant, at that time, so the community
25 plan had to leave the M2 zoning status in their community

1 plan at the time.

2 Underneath this proposed license, a cogeneration
3 facility would have -- possibly help our ag community and
4 the air quality by stopping the burning of rice in the
5 immediate area, which would have helped our property
6 instead of added a thousand pounds of particulate matter
7 per day in our area, which is why the rezoning, in the
8 first place, was taking place.

9 Since then, the license has expired and I've
10 stated that docket. I would think our new and wiser
11 community plan would take over instead of the County
12 planners and the County Counsel talking with Florida Power
13 and Light before there was public comment not knowing that
14 the county explains to me that they do not know the
15 difference between an ethanol generating plan and a
16 580,000 horsepower, 560 million watt electric generating
17 plant, that requires special use permits with public input
18 on an M2 zoning status.

19 I feel that this plant violates all of our
20 community plan. The guiding principles, A through J,
21 which are in your documents strictly, in my view,
22 discourages industrial growth for such as this plant.

23 PF 7 and 8 underwater. These were two
24 resolutions that were specifically addressed, increased
25 groundwater usage in our area. Under the AFC, they're

1 required to have a will serve letter from the Rio Linda
2 Water District. Florida Power might never receive a will
3 serve letter from the water district.

4 Under PF 8, technically they should have been --
5 had a will serve water from the county agency who would
6 have had the authority to give them groundwater. This was
7 not completed in their AFC.

8 Traffic, C1; sewer, PF1. Under policies drainage
9 PF 10, PF 11 are solid waste, PF 20; fire protection, PF
10 30; parks, PF 45; natural resources, NR1; agricultural
11 land LU 9, 10 and 11; land use, LU 12 and 13; habitat,
12 NR8. This directly addresses the property at West 6th and
13 U Street, quote, "As an area to be utilized as off-site
14 mitigation of wetlands or respiratory habitats."

15 I do not understand how more clearly a community
16 plan's objectives could be to discourage industry growth
17 on this piece of property. Under industrial uses LU 43,
18 locate heavy industrial uses south of Elkhorn Boulevard,
19 not north.

20 There are many more violations of our community
21 plan. Time today is short, not like the people of our
22 community living with this plant 30 to 50 years. The
23 future of my life rests in your hands and the staff of the
24 CEC.

25 I pray you will look at the facts not the

1 potential pressures put on all of us. I, too, realize the
2 deeper part, like the county wanting 35,000 employees to
3 find homes in the industrial land called McClellan Park,
4 formally McClellan Air Force Base, which I feel would be
5 an ideal location for such a plant.

6 Thank you for the opportunity today to convey my
7 concerns to the decision makers for this plant.

8 COMMISSIONER MOORE: Thank you.

9 HEARING OFFICER WILLIAMS: Thank you.

10 Charlea Moore.

11 MS. MOORE. My name is Charlea Moore,
12 C-h-a-r-l-e-a, and I live in Elverta. My house is
13 approximately two and a half miles, as the crow flies,
14 northeast of the location. And from my front porch, I can
15 see the red lights on the towers that are currently on the
16 property, even though it's two and a half miles.

17 I'm here tonight, I would like to say that I
18 don't oppose the power plant. I think that the power
19 plant is needed. I believe that the power plant can
20 provide benefits to our community. I don't think the
21 power plant is necessarily a bad thing to our community.

22 I do feel that there are some issues that I am
23 concerned with, and I know there are other people in the
24 community who are concerned with those issues. One of my
25 issues, I have been in this community for a number of

1 years lobbying on behalf of equestrians and trail
2 enthusiasts. And my concern is that the plant -- I always
3 thought I had a good voice for this.

4 (Thereupon the lights and power went on.)

5 MS. MOORE: I didn't think I needed that. I have
6 been in the community for a number of years lobbying on
7 behalf of equestrian enthusiasts for trails. Back in the
8 early, early eighties, a trails master plan was done in
9 the county. And the Rio Linda portion of that included a
10 conceptual trail, because, at that time, there was nothing
11 there that would go across this power plant from U Street
12 and over to connect to what is now the Steelhead Creek,
13 which runs through the westside of this plant.

14 The Steelhead Creek further south from Elkhorn on
15 down to Discovery Park has already developed a trail. My
16 concern is that while everybody's concern about mitigating
17 on the residential and visual side where people will see
18 it, people riding along the trail system that we hope will
19 some day exist out there also need to have mitigation.
20 They need to be able to ride along there and it's not a
21 really neat experience to be trotting along on our horse
22 and see stacks, and gray walls and that sort of thing.

23 So we would like to see, I would hope, and I'm
24 sure that they will do that, some kind of mitigation along
25 there. I would like to see it for as long as the power

1 plant is in sight from that system, so that you can't look
2 back or look forward and see the site from the trail
3 system along the Steelhead Creek.

4 The other thing that I'm really concerned with,
5 and this is something I don't know quite how to address, I
6 understand, and I talked with some of the FPL folks, they
7 put the sign up there that said there are no health
8 impacts.

9 I understand that from the Commission's point of
10 view the emissions are mitigated in that the overall
11 quality of the air will be better. Nonetheless, the
12 emissions in this community will be worse. We will have
13 emissions in this community. Those emissions aren't going
14 to some other place in the county, they're here. Some
15 other places in the county will have less in the region to
16 make up for that.

17 I feel that this community deserves some kind of
18 compensation for that, because we will have to bear those
19 emissions. There's nothing that can be done about that.
20 I understand that. I just want to see some kind of
21 compensation for this community, because it's our children
22 and our grandchildren that are going to live here and
23 they're going to have to deal with that.

24 I understand it's very low. I understand that
25 you guys have the cleanest most wonderful technology in

1 the world, but nonetheless there are emissions and they
2 will stay in this community.

3 And my last issue is the water. My issue isn't
4 so much the water that you folks will be using as the
5 water that I'm going to be using. I have a well. I just
6 had somebody in to replace the entire well from my tank
7 all the way down, because everything wore out at once.

8 At that time, I had my well sounded, this has
9 been about two weeks ago. I have water at 90 feet. My
10 pump is sitting at 140 feet. The bottom of my well is
11 160. At a decline of about two feet a year, which is what
12 we have been experiencing for at least the last 20 years,
13 I should have a 20-year well there. If you folks are
14 going to draw water out of this aquifer enough to continue
15 to lower -- to accelerate the rate of that water table
16 drop, then my well will potentially go dry much sooner
17 than 20 years.

18 So you've already said that you're going to
19 mitigate for that by drilling my well deeper and making up
20 for the cost of me lifting that extra water and that's
21 fine.

22 Thank you.

23 COMMISSIONER MOORE: Thank you.

24 HEARING OFFICER WILLIAMS: Thank you. Again,
25 while it's on my mind, I would encourage both staff and

1 applicant to discuss to expanding their discussions, if
2 you will, to any of the water experts currently looking at
3 the McClellan Air Force Base possible contamination.

4 I would encourage the parties to make sure that
5 the folks over at McClellan overlooking that issue are
6 involved in your discussions and analyses with respect to
7 the project.

8 MS. MOORE: That is another issue in the
9 community is the plume moving towards our community.

10 HEARING OFFICER WILLIAMS: Mr. Jack Powell.

11 MR. POWELL: Hi. I'm Jack Powell, resident of
12 Elverta. I live at 7860 El Rio Avenue. I've been
13 following this situation ever since Sepco started.
14 Originally, when Sepco started this particular power
15 plant, which was going to be an ethanol plant, it was
16 going to be in Sutter County.

17 SMUD got involved in it, said that they didn't
18 want to build it out of the area. They wanted to bring it
19 into their own utility district, so they could get the
20 taxes in the area for Sacramento county.

21 That's the reason that this particular site was
22 picked. I was told, at that time, with other residents
23 that if Sepco didn't get built, that this M2 property that
24 changed from IR to M2 would go back to IR.

25 I understand what one Rio Linda Advisory

1 Committee Member said that it didn't go before them to
2 find out if it's still M2. That's one of my main
3 concerns.

4 I still feel that this should go back to an IR.
5 It's too close to residents. And I understand that this
6 particular plant is only selling to Western Power. I
7 don't understand why they're not selling this stuff to
8 SMUD, so it can be kept in our community, where it's being
9 built.

10 My other issue is water, which we've pretty well
11 covered, but I still feel that if my groundwater is sucked
12 down whether they drill it 500 feet and I'm at 200 feet,
13 they can tell you it will never pull my -- if we do have
14 an earthquake or it gets in a part that's got a crack in
15 it, it will affect my well.

16 I understand they're saying that they'll pay to
17 drill it deeper, and they'll pay for the extra power
18 across to pump it up higher. This I'd like to see in
19 writing.

20 The air quality. We need to know more about the
21 water vapor that will be floating out of the towers, which
22 will affect our way of living in the area. Like I said,
23 I'm about 2,300 feet to the north of this facility. I
24 have great concerns. I don't know much fallout it's going
25 to have. Certain times of year, you people know out here,

1 that sometimes you can't see five feet in front of your
2 hand when the fog is out.

3 It could very well trap this air plume that's
4 coming off of the tower, and keep it low in our area. We
5 won't know until we see our pastures being affected as we
6 try and feed our cattle on it.

7 And another question I have is on land values. I
8 had my house assessed or appraised, I should say, three
9 months ago. I know what it appraised for. I paid \$400 to
10 get it appraised and I did it for my own information in
11 case I have to come back and try to sue Florida Power if
12 my property value goes down.

13 And if it does go down, how do we figure it out
14 over a ten-year period. If I'm losing \$30,000 the first
15 year, what am I going to be losing over a ten-year period.
16 I think this is very important, and I don't see how it's
17 being overlooked.

18 And my last question here is, like I said, that I
19 want to know if this power plant is going to be bringing
20 anything in like SMUD is going to do ARC Energy, are you
21 going to be selling any steam to produce any other
22 byproduct as far as, like they're selling the steam to
23 Proctor and Gamble? They're selling their steam to
24 Campbell's Soup. They're selling the steam to a plant
25 which SMUD has

1 built.

2 It's only a matter of time that they put this
3 thing in and say, for example, someone comes along and
4 they say well you've got 90 acres and you've got 18 in
5 use, and you still got 72 acres there that we can put
6 industrial on, can we come in and build a plant to use
7 your steam to produce a product. Do we have any guarantee
8 that this won't happen? Is it strictly going to stay
9 natural gas, or is it going to be where they're going to
10 be selling this steam to a company? Is there anybody in
11 Florida Power here that can tell me that it will stay
12 strictly natural gas and not sell a byproduct?

13 HEARING OFFICER WILLIAMS: Sure, you can address
14 that if you'd like.

15 MR. ROSSKNECHT: The plant is being designed to
16 consume all the steam that is produced. And at no time
17 have we ever contemplated selling steam to any other
18 entity.

19 MR. POWELL: So your answer is no, it will
20 strictly stay a 560 megawatt power plant, no other
21 industry is coming in and attaching to its apron strings?

22 MR. ROSSKNECHT: We have no plans at all to do
23 anything like that.

24 MR. POWELL: Thank you.

25 The other question, I don't know if any of you

1 people noticed on the news last week, the Mayor of Lodi
2 has taken a tour to, I think it was, Florida, to look at a
3 garbage burning facility to where they could change it
4 from natural gas, like they're doing at Lodi Sewage
5 Treatment plant, to get rid of garbage.

6 This won't be happening either. It's strictly
7 going to stay natural gas; is that correct?

8 MR. ROSSKNECHT: Yes.

9 MR. POWELL: Okay. I don't have any other
10 questions other than that.

11 And I do want to make one comment. I want to
12 thank the California Energy Commission for sticking with
13 this project. When it was going to Sepco, it was almost
14 going to get dumped back to Sacramento County, because
15 everything was getting low-keyed, but this community would
16 not even have this meeting if it wasn't for the California
17 Energy Commission.

18 And I feel very comfortable that you'll be
19 keeping an eye on this facility, and if it is built, it
20 will be built up to good standards.

21 COMMISSIONER MOORE: Thank you very much.

22 MR. POWELL: And I want to thank you for the
23 time.

24 HEARING OFFICER WILLIAMS: Thank you, sir. That
25 was the last blue card that I have. Are there any further

1 comments? Does anybody else have anything they'd like to
2 add before we adjourn?

3 MR. CHADDOCK: There's one more blue card that
4 this person couldn't speak english.

5 HEARING OFFICER WILLIAMS: Okay. We don't
6 have --

7 COMMISSIONER MOORE: We don't have a translator.
8 I'm sorry, but the public --

9 HEARING OFFICER WILLIAMS: Sure. Excuse me, sir,
10 can you come up. Do you speak English?

11 MR. KHANG: Just a little bit.

12 HEARING OFFICER WILLIAMS: We don't have a
13 translator here.

14 MR. KHANG: I'll just talk as best I can, okay.

15 HEARING OFFICER WILLIAMS: Spell your name.

16 MR. KHANG: My last name is K-h-a-n-g and my
17 first name is Eric, E-r-i-c.

18 My house is at the corner of U and Shore, that's
19 the corner that my house is on. So I don't think that the
20 power plant will help my community, because we are
21 small -- Rio Linda is a very small community, and we have
22 enough water, enough electricity. And also I think they
23 feel the power plant there, I think will cause more
24 pollution to our area and also will cause our -- our house
25 value will go down never go up.

1 So I suggest that. This is my -- I don't want
2 them to build in that area, you know. Also, it's simple,
3 in 1995 my house was flooded, so I didn't know -- I cannot
4 speak any English. I didn't know anybody in the county or
5 in the city. I couldn't get help. Nobody helped me. So
6 I had no clothes, nothing to use, but I don't know where
7 to get help.

8 So now I'm living there. I try to -- I buy
9 things for myself every day a little bit until now. I
10 just got my house set up again. To build something like a
11 power plant back in there in the future, nobody knows that
12 something will happen. If something happens again, I
13 myself don't know where to get help either.

14 Nobody will help me to -- if I want to move out,
15 I cannot sell my house. You see, if I cannot sell my
16 house, I cannot work, I don't have money to buy another
17 house. So what am I going to do?

18 So I didn't prepare anything. I didn't know that
19 something like this was happening and I didn't prepare
20 anything, so that's all I have to say.

21 Thank you.

22 HEARING OFFICER WILLIAMS: Thank you, sir.

23 MR. KHANG: You're welcome.

24 HEARING OFFICER WILLIAMS: Commissioners, do you
25 have anything to add?

1 COMMISSIONER MOORE: I have just a couple wrap-up
2 comments and say that I'm glad that the community turned
3 out, and that we are very proud to be part of a process
4 that involves the community so effectively and really
5 brings the proponents of a project as well as our very
6 talented staff together in one arena, where we can sort
7 through the issues and make the right decision.

8 And the right decision, if it involves the
9 approval of a power plant, comes with a price. And the
10 price is that there are mitigation measures that have to
11 be adhered to, conditions that have to be complied with
12 through the life of the project, so anything that we
13 approve, and we have approved through the State, are
14 rigorously attended to in this process. And they're also
15 rigorously watched over throughout the life span of those
16 projects.

17 So we take first and foremost community values
18 very, very seriously. We're dedicated to try to solve the
19 State's energy crisis, but not at the expense of the local
20 community, so that the community comes very, very high in
21 our lexicon and is tempered then only by our ability to
22 mitigate bad things to make sure they don't happen to the
23 community.

24 So you will see us here and we hope you attend
25 the public workshops. Our staff will be there. You'll

1 see them more than you see us, except at the end of this
2 process where the Commissioners will appear more often and
3 in a very, very formal setting.

4 So we're here to help, literally, and we're here
5 to make good decisions. Our staff are here to assist you
6 in any way that they can. I hope that you'll take
7 advantage of that and participate fully in the project.

8 Thank you.

9 HEARING OFFICER WILLIAMS: Okay. Does applicant
10 have anything further?

11 MR. ROSSKNECHT: No.

12 HEARING OFFICER WILLIAMS: Okay, staff?

13 PROJECT MANAGER SHAW: Thank you, no.

14 HEARING OFFICER WILLIAMS: Seeing no further
15 comments from the public, we stand adjourned.

16 (Thereupon the Energy Commission Hearing
17 for the Rio Linda/Elverta Power Plant
18 was adjourned at 9:35 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
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8 Reporter of the State of California, and thereafter
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10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 25th day of May, 2001.

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